

REMARKS

Previous withdrawn Claims 1, 18, 33, 52, 66, 75, 86, 102, 116, 139, 147, and 157 are cancelled herein. Previously pending Claim 162 is also cancelled herein. Claims 2-17, 19-32, 34-51, 53-65, 67-74, 76-85, 87-92, 93-101, 103-115, 117-126, 128-138, 140-146, 148-156, and 158-161 have been previously cancelled. Accordingly, Claims 127 and 163-165 remain pending. In view of the remarks and amendments herein, reconsideration is respectfully requested.

Interview Summary

Applicants thank Examiner Audet for the courtesy and time extended to Applicants' representative identified below during a telephone interview on May 7, 2010. Applicants acknowledge receipt of the Interview Summary mailed on May 11, 2010 and agree with the substance of the interview described therein.

In addition to what is stated in the Interview Summary, Applicants also note that the examiner indicated during the interview that although the Office Action has been marked "final", if an Amendment were submitted making the recommended amendment to Claim 127 and correcting the identification of SEQ ID NOS, the Amendment would be accepted without requiring a Request for Continued Examination (RCE). The amendments made herein are those requested by the examiner. Accordingly, Applicants respectfully request that this Amendment be considered without an RCE.

Rejections under 35 U.S.C. §112, Second Paragraph

Claims 127 and 162-165 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. More specifically, the examiner asserts that the claims remain indefinite as only trkB receptors were found to be bound in the description. The examiner suggested an amendment to Claim 127 in which it is specified that the functional moiety is delivered to a trkB receptor in the

microvasculature in a mammal. As stated above, Applicants have made the amendment to Claim 127 suggested by the examiner.

Accordingly, withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

Object to the Specification

The examiner has also objected to the specification as including sequences of 4 or more amino acids that do not have a sequence identifier in the specification. Accordingly, Applicants have amended Figures 1, 2, 3, and 6 to include the requisite identifiers. The sequence listing has also been amended to include SEQ ID NOS: 10 and 11 from Figure 3 and SEQ ID NOS: 12 and 13 from Figure 6. Paragraphs [0105] and [0111] have been amended accordingly. In addition, as requested by the examiner, paragraph [0111] has been amended to indicate that SEQ ID NO: 12 is “partially” homologous to SEQ ID NO: 13.

Conclusion

Accordingly, it is now believed that this application is in condition for further consideration and examination. If resolution of any remaining issues is required prior to the examination of the application, it is respectfully requested that the examiner contact Applicants’ attorney at the telephone number provided below.

Respectfully submitted,

/james f. harrington/
James F. Harrington
Registration No. 44,741
Attorney for Applicants

HOFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
JFH:jp